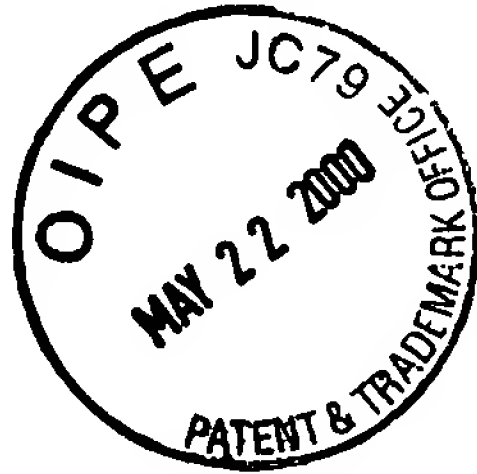


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Sim, Gek-Kee  
 Yang, Shumin  
 Dreitz, Matthew J.  
 Wonderling, Ramani S.



Group Art Unit: 1643

Examiner:

PETITION

Serial No.: 09/451,527

Filed: December 1, 1999

Atty. File No.: IM-2-C2

For: "CANINE AND FELINE IMMUNO-  
 REGULATORY PROTEINS, NUCLEIC  
 ACID MOLECULES, AND USES  
 THEREOF"

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON THIS <u>18</u> DAY OF MAY 2000.	
By:	 HESKA CORPORATION Susan A. Gordon

**RECEIVED****MAY 20 2002****OFFICE OF PETITIONS**

Assistant Commissioner for Patents  
 Washington, DC 20231

Dear Sir:

Applicants hereby petition, pursuant to 37 CFR § 1.47(a), for acceptance of the enclosed Declaration for Patent Application when one of the co-inventors, Gek-Kee Sim, refuses to sign or cannot be reached. In support of this Petition pursuant to 37 CFR § 1.47(a), enclosed is a Declaration of Susan A. Gordon setting forth the pertinent facts and the fee set forth in 37 CFR § 1.17(i). As disclosed in the attached Declaration and accompanying documentary evidence, Applicants can demonstrate (1) a bona fide attempt has been made to present a copy of the application papers to the non-signing inventor, and (2) Dr. Sim received and signed non-patent related documents during the time-frame in which attempts were made to obtain her signature for the present application. Accordingly, Applicants conclude that Dr. Sim's conduct constitutes a refusal to sign.

The correspondence address of the patent agent for the above-referenced patent application  
remains:

Carol Talkington Verser, Ph.D.  
Heska Corporation  
1613 Prospect Parkway  
Fort Collins, CO 80525

Respectfully submitted,

Dated: May 18, 2000



Timothy L. McCutcheon, Esq.  
Registration No. 41,184  
Heska Corporation  
1613 Prospect Parkway  
Fort Collins, Colorado 80525  
Telephone: (970) 493-7272  
Facsimile: (970) 491-9976